

DAVID M. MICHAEL, CSBN 74031
EDWARD M. BURCH, CSBN 255470
LAW OFFICES OF DAVID M. MICHAEL
One Sansome Street, Suite 3500
San Francisco, CA 94104
Telephone: (415) 946-8996
Facsimile: (877) 538-6220
E-mail: david@davidmichaellaw.com

SCOTT W. GROSS (MI BAR # P43094)
P.O. Box 380257
Clinton Twp., MI 48038
586-416-8000
Email: swglaw@sbcglobal.net

Attorneys for Defendant
WILLIAM RICHARD BAILEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. 13-CR-3046-CAB

Plaintiff,

v.

WILLIAM RICHARD BAILEY,

Defendant.

DEFENDANT'S MOTION TO DISMISS
INDICTMENT BASED ON FALSE
EVIDENCE DELIBERATELY
FABRICATED BY THE GOVERNMENT;

Date: September 24, 2015

Time: 2:00 PM

Courtroom 4C

TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO THE UNITED STATES
ATTORNEY FOR THE SOUTHERN DISTRICT OF CALIFORNIA:

PLEASE TAKE NOTICE THAT on the date and time indicated above, or as soon
thereafter as set by the Court, Defendant, William Richard Bailey ("Dr. Bailey"), by and through
Counsel, will and hereby does move this Court, pursuant to Federal Rule of Criminal Procedure
(FRCrP) 12(b)(2), and following an evidentiary hearing, to dismiss the Indictment on the

grounds that it is based upon false evidence deliberately fabricated by Plaintiff, United States of America (“the government”)¹ in violation of Dr. Bailey’s rights under the United States Constitution.

This motion is, and will be, based on this notice of motion and motion, the memorandum of law filed herewith, the files and records in the case, and on further evidence to be adduced and argument to be made at the time of hearing on said motion.

Dated: 31 July 2015

s/David M. Michael

DAVID M. MICHAEL

s/Scott W. Gross

SCOTT W. GROSS

Attorneys for Claimant

WILLIAM RICHARD BAILEY

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that, on 31 July 2015, I caused to be electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing on all ECF-registered counsel by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s system.

s/David M.. Michael

DAVID M. MICHAEL

Attorney for Claimant Julio Figueroa

¹ As used here, the United States of America includes all its agencies, officers, and employees, including the Internal Revenue Service (IRS).